

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BETTY DUKES, et al.,
Plaintiffs,

v.

WAL-MART STORES, INC.,
Defendant.

Case No. 01-cv-02252-CRB (JSC)

**ORDER RE: JOINT DISCOVERY
LETTER BRIEF RE: PLAINTIFFS'
DEPOSITIONS**

Re: Dkt. No. 1030

Now pending before the Court is a Joint Discovery Letter Brief (Dkt. No. 1030).

Defendant seeks leave to take a second deposition of the five individual plaintiffs in this action. Pursuant to Civil Local Rule 7–1(b), the Court finds oral argument unnecessary and having considered the parties’ arguments GRANTS Defendant leave to take additional limited depositions of the Plaintiffs.

Federal Rule of Civil Procedure 30(d)(1) provides that a deposition is limited to one seven hour day unless additional time is needed for a fair examination of the deponent. A party seeking leave to extend the examination must show “good cause.” *Boston Scientific v. Cordis Corp.*, No. 5:02–CV–1474 JW (RS), 2004 WL 1945643, at *2 (N.D. Cal. Sept.1, 2004). “Considerations relevant to granting an extension include events occurring over a long period of time, the need fully to explore the theories upon which the witness relies, or, in multi-party cases, the need for each party to examine the witness with the understanding that duplicative questioning is to be avoided.” *Pratt v. Archstone Willow Glen Apartments*, No. 08-3588, 2009 WL 2032469, at *1 (N.D. Cal. July 10, 2009) (internal citation omitted).


Defendant has demonstrated good cause to take second depositions of the Plaintiffs given the passage of time and the change in the procedural posture of the case. Over ten years have

1 passed since the Plaintiffs prior depositions and two of the Plaintiffs continued to work for
2 Defendant until this year. Further, the change in the procedural posture of the case from a nation-
3 wide putative class action to a five-plaintiff individual action renders further depositions
4 appropriate. However, the depositions shall be limited to no more than four hours each and
5 Defendant shall limit its questioning to matters not previously covered. In light of that limitation,
6 it seems likely that at least some of the depositions will take less than four hours.

7 The parties shall work together to select mutually agreeable dates and times for the
8 depositions.

9 **IT IS SO ORDERED.**

10 Dated: September 19, 2014

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13 JACQUELINE SCOTT CORLEY
14 United States Magistrate Judge
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